



Public Notice

U.S. Army Corps
of Engineers
Baltimore District

In Reply to Application Number
CENAB-OP-RMN (AA CO DPW/BRADY COVE/DREDGING)
2008-63239-M18

PN 08-62

Comment Period: 30 September to 30 October 2008

THE PURPOSE OF THIS PUBLIC NOTICE IS TO SOLICIT COMMENTS FROM THE PUBLIC ABOUT THE WORK DESCRIBED BELOW. AT THIS TIME, NO DECISION HAS BEEN MADE AS TO WHETHER OR NOT A PERMIT WILL BE ISSUED.

The Baltimore District has received an application for a Department of the Army permit pursuant to the Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act (33 U.S.C 1344), as described below:

APPLICANT: Anne Arundel County Department of Public Works
2662 Riva Road
Annapolis, Maryland 21401

LOCATION: In Brady Cove, off Stony Creek, Anne Arundel County, Maryland.

WORK: To hydraulically or mechanically maintenance dredge a 630-foot long by 30-foot wide main channel to a depth of -3.5 to -4.5 feet mean low water (MLW) in Brady Cove, a tributary to Stony Creek, Anne Arundel County, Maryland. Additionally, 12 associated private spur channels, listed below, are proposed for dredging as further described below. The overall dredging will result in approximately 4,672 cubic yards of dredged material to be deposited at the approved CSX dredged material placement (DMP) site in Anne Arundel County or other approved County DMP site. The permit for these projects, if approved, would authorize periodic maintenance dredging for a period of six years from the date of the authorization, subject to prior notification of the District Engineer and availability of an adequate disposal site for the dredged material. The purpose of the proposed work is to improve navigable access within Brady Cove. All work is to be completed in accordance with the enclosed plan(s). If you have any questions concerning this matter, please contact *Mr. Richard Kibby at 410-962-0694 or Richard.Kibby@usace.army.mil.*

Spur Channels:

2008-63241-M18: Ms. Stephanie Rudy. To hydraulically or mechanically dredge a spur channel in Brady Cove 4,860 square feet to a depth of -4.5 feet MLW and to deposit approximately 100 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization and to install 8 mooring piles.

2008-63242-M18: Mr. and Mrs. Keith Dominic. To hydraulically or mechanically dredge a spur channel in Brady Cove 1,410 square feet to a depth of -4.5 feet MLW and to deposit approximately 161 cubic yards of dredged material at the CSX dredged material placement (DMP)

site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization. To install a 36 foot by 6 foot wide pier extension with a 10 foot by 12 foot "L" to an existing pier and to install 2 mooring piles.

2008-63243-M18: Mr. Michael Adamitis. To hydraulically or mechanically dredge a spur channel in Brady Cove 1,845 square feet to a depth of -4.5 feet MLW and to deposit approximately 240 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization. To install a 10 foot by 12 foot extension to an existing pier.

2008-63244-M18: Mr. Thomas Shelton. To hydraulically or mechanically dredge a spur channel in Brady Cove 2,712 square feet to a depth of -3.5 feet MLW and to deposit approximately 350 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization.

2008-632451-M18: Mr. Andrew Morris and Ms. Shelly Kolb. To hydraulically or mechanically dredge a spur channel in Brady Cove 2,422 square feet to a depth of -3.5 feet MLW and to deposit approximately 314 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization.

2008-63246-M18: Mr. Alexander LaGrange. To hydraulically or mechanically dredge a spur channel in Brady Cove 5,000 square feet to a depth of -3.5 to -2.5 feet MLW and to deposit approximately 703 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization.

2008-63247-M18: Mr. Louis Cerusuolo. To hydraulically or mechanically dredge a spur channel in Brady Cove 2,638 square feet to a depth of -3.5 feet MLW and to deposit approximately 361 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization and to install a 10 foot by 10 foot extension to an existing pier.

2008-63248-M18: Ms. Rhonda Harrison. To hydraulically or mechanically dredge a spur channel in Brady Cove 1,087 square feet to a depth of -3.5 feet MLW and to deposit approximately 149 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization.

2008-63249-M18: Mr. Paul Appel. To hydraulically or mechanically dredge a spur channel in Brady Cove 664 square feet to a depth of -3.5 feet MLW and to deposit approximately 81 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other

approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization. To install 4 piles and to replace an exiting pier with a 5 foot by 15 foot "T" extension.

2008-63250-M18: Mr. Patrick Hogan and Ms. Jane Rohde. To hydraulically or mechanically dredge a spur channel in Brady Cove 557 square feet to a depth of -3.5 feet MLW and to deposit approximately 62 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization. To install a 35 foot by 6 foot pier with a 15 foot by 13 foot "L".

2008-63251-M18: Ms. Patricia Kohne. To hydraulically or mechanically dredge a spur channel in Brady Cove 877 square feet to a depth of -3.5 feet MLW and to deposit approximately 88 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization and to install 5 mooring piles.

2008-63252-M18: Mr. John Becker. To hydraulically or mechanically dredge a spur channel in Brady Cove 3,613 square feet to a depth of -4.5 feet MLW and to deposit approximately 179 cubic yards of dredged material at the CSX dredged material placement (DMP) site or other approved County DMP site and to provide for periodic maintenance dredging for a period of six years from the date of the authorization.

Essential Fish Habitat (EFH) Assessment: The Magnuson-Stevens Fishery Conservation and Management Act (MSFCMA), as amended by the Sustainable Fisheries Act of 1996 (Public Law 04-267), requires all Federal agencies to consult the National Marine Fisheries Service (NMFS) on all actions, or proposed actions, permitted, funded, or undertaken by the agency that may adversely effect essential fish habitat (EFH).

The project site lies in or adjacent to EFH as described under MSFCMA for Scopthalmus aquosus (windowpane flounder) juvenile and adult; Pomatomus saltatrix (blue fish) juvenile and adult; Paralichthys dentatus (summer flounder) juvenile and adult; and egg, larvae, juvenile and adult stages of Sciaenops ocellatus (red drum), Scomberomorus cavalla (king mackerel), Scomberomorus maculatus (spanish mackerel), and Rachycentron canadum (cobia), all managed species under the MSFCMA.

A preliminary assessment indicates that the project has the potential to adversely affect EFH or the species of concern by loss of nursery, forage and/or shelter habitat. The project may have an adverse affect Essential Fish Habitat as described under the Magnuson-Stevens Fishery Conservation and Management Act for the species and life stages identified above. However, the District Engineer has made a preliminary determination that site-specific impacts would not be substantial and an abbreviated consultation will be conducted with NMFS. This determination may be modified if additional information indicates otherwise and would change the preliminary determination.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, water supply and conservation, water quality, energy needs, safety, food and fiber production, and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or and Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The applicant is required to obtain a water quality certification in accordance with Section 401 of the Clean Water Act from the Maryland Department of the Environment. Any written comments concerning the work described above which relate to water quality certification must be received by the Standards and Certification Division Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above to receive consideration. Written comments concerning the work described above related to the factors listed above or other pertinent factors must be received by the District Engineer, U.S. Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore Maryland 21203-1715, within the comment period as specified above to receive consideration. The 401 certifying agency has a statutory limit of one year to make its decision.

The applicant has certified in this application that the proposed activity complies with and will be conducted in a manner consistent with the Maryland Coastal Zone Program. This certification statement is available for inspection in the District Office; however, public comments relating to consistency must be received by the Coastal Zone Division, Maryland Department of the Environment, Montgomery Park Business Center, 1800 Washington Boulevard, Suite 430, Baltimore, Maryland 21230-1708 within the comment period as specified above. It should be noted that CZ Division has a statutory limit of 6 months in which to make its consistency determination.

The applicant must obtain any State or local government permits which may be required.

A preliminary review of this application indicates that the proposed work will not affect listed species or their critical habitat pursuant to Section 7 of the Endangered Species Act as amended. As the evaluation of this application continues, additional information may become available which could modify this preliminary determination.

The Maryland Historical Trust is reviewing the project to assess its effects on historic properties pursuant to Section 106 of the National Historic Preservation Act of 1966. Currently unknown archeological, scientific, prehistoric, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The evaluation of the impact of the work described above on the public interest will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 of the Clean Water Act. Any person who has an interest which may be adversely affected by the issuance of this permit may request a public hearing. The request, which must be in writing, must be received by the District Engineer, US Army Corps of Engineers, Baltimore District, P.O. Box 1715, Baltimore Maryland, 21203-1714, within the comment period as specified as above to receive consideration. Also, it must clearly state forth the interest which may be adversely affected by this activity in the manner in which the interest may be adversely affected.

It is requested that you communicate the foregoing information concerning the proposed work to any persons known by you to be interested and not being known to this office, who did not receive a copy of this notice.



MAIN CHANNEL SEGMENT "A"
455' X 30' TO -4.5' MLW

MAIN CHANNEL SEGMENT "B"
210' X 30' TO -3.5' MLW

GRAPHIC SCALE



(IN FEET)

1 inch = 100 feet

BRADY COVE

MAIN CHANNEL

PROPOSED COUNTY DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

JULY 2008

SHEET 2 OF 4

SAV LEGEND

- COMPOSITE SAV BED FROM SPRING SAV SURVEY
- SPRING SURVEY DATE: JUNE 12, 2007
- DENSITY VERY SPARSE - >10%
- Zp ZANNICHELLIA PALUSTRIS
- SUMMER SURVEY DATE: AUGUST 8, 2007
- NO SAV OBSERVED

LEGEND

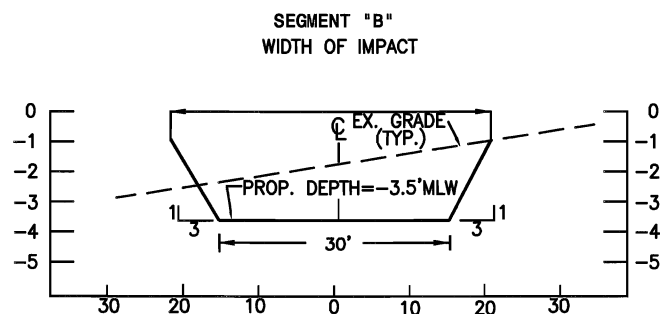
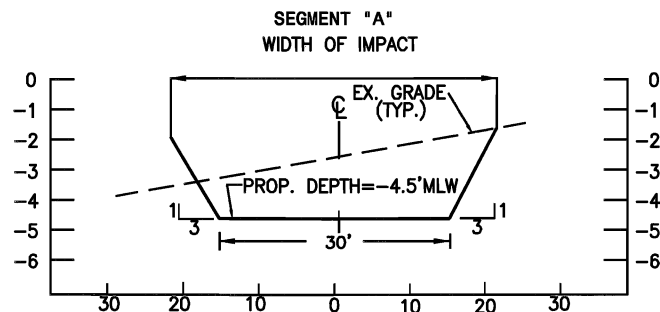
- PROPOSED COUNTY CHANNEL
- PROPOSED CHANNEL DEPTH
- SPUR NUMBER
- X-3.6 SOUNDINGS BY DNR
- PROPOSED PIER
- SHORELINE



1321 Mercedes Drive, Suite C Phone: (410) 694-9411
Hanover, Maryland 21076 Fax (410) 694-9415

BRADY COVE
MAIN CHANNEL

TYPICAL CHANNEL SECTIONS



MAIN CHANNEL

SEGMENT	LENGTH (FT)	WIDTH (FT)	DEPTH (MLW)
A	420	30	-4.5'
B	210	30	-3.5'
MAIN CHANNEL VOLUME			1,884 CY
MAIN CHANNEL LENGTH			630 LF
MAIN CHANNEL MAXIMUM AREA OF DREDGING			25,326 SF = 0.58 AC
MAIN CHANNEL MAXIMUM AREA OF IMPACT TO 2007 SAV			10,019 SF = 0.23 AC

CHANNEL NOTES:

1. SOUNDINGS ARE IN FEET AND REFER TO MLW.
2. TIDAL RANGE IS 0.9 FEET.
3. MATERIAL WILL BE PLACED AT THE CSX DMP SITE.
4. THESE ARE PERMIT DRAWINGS ONLY. DESIGN DRAWINGS WILL BE PREPARED SEPARATELY.

BRADY COVE

PROPOSED COUNTY DREDGING

ANNE ARUNDEL COUNTY, MD

APPL. BY: ANNE ARUNDEL COUNTY
DEPARTMENT OF PUBLIC WORKS

JULY 2008

SHEET 3 OF 4

Bay and
Consultants & Designers, Inc.
"Integrating Engineering and Environment"
1321 Mercedes Drive, Suite C Phone: (410) 694-9401
Hanover, Maryland 21076 Fax (410) 694-9405